

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Edmond Gasaway,

Petitioner,

v.

Louis W Winn,

Defendant.

No. CV-13-00378-TUC-RCC

ORDER

Pending before the Court is a Report and Recommendation (“R & R”) prepared by Magistrate Judge Charles R. Pyle. Doc. 27. Magistrate Judge Pyle recommends that the Court denies Petitioner Edmond Gasaway’s petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. No objections have been filed. For the foregoing reasons, the Court shall adopt the R & R.

The duties of the district court, when reviewing a R & R of a Magistrate Judge, are set forth in Rule 72(b) of the Federal Rules of Civil Procedure and 28 U.S.C. § 636(b)(1). The district court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” Fed.R.Civ.P. 72(b), 28 U.S.C. § 636(b)(1). In the absence of a timely objection, the Court “need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed.R.Civ.P. 72(b), Advisory Committee Notes (1983); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

The factual background in this case is thoroughly detailed in Magistrate Judge

1 Pyle's R & R. This Court fully incorporates by reference the Background and Discussion
2 sections of the R & R into this Order.

3 After reviewing the R & R, the Court finds no clear error and fully adopts
4 Magistrate Judge Pyle's R & R.

5 Accordingly,

6 **IT IS HEREBY ORDERED** that Magistrate Judge Pyle's Report and
7 Recommendation is **adopted**. Petitioner Gasaway's petition is **denied**. Doc. 27.

8 **IT IS FURTHER ORDERED** that the Clerk of Court is directed to close the
9 case.

10 Dated this 29th day of July, 2016.

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14 Raner C. Collins
15 Chief United States District Judge
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